

FIFTH-SEVENTH DAY.

Senate Chamber,
Austin, Tex., Tuesday, April 9, 1901.

Senate met pursuant to adjournment.
Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present—28.

Beaty.	Odell.
Davidson of Galveston.	Patterson.
Dibrell.	Paulus.
Grinnan.	Potter.
Hanger.	Savage.
Harris of Bexar.	Sebastian.
Harris of Hunt.	Stafford.
James.	Staples.
Johnson.	Swann.
Lipscomb.	Turner.
Lloyd.	Turney.
McGee.	Wayland.
Miller.	Wheeler.
Neal.	Wilson.

Absent—1.

Yett.

Absent—Excused.

Davidson of Goss.
DeWitt.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Dibrell, the same was dispensed with.

EXCUSED.

On motion of Senator Wheeler, Senator Yett was excused for non-attendance upon the Senate yesterday and for today on account of important business.

On motion of Senator Johnson, all members who have been serving on committees for the last ten days, and shown absent by roll calls on those days, were excused on account of official business.

On motion of Senator Grinnan, Senator Harris of Hunt was excused for non-attendance upon the Senate on yesterday on account of important business.

The Chair here declared the morning call concluded.

THANKS OF THE SENATE—RESOLUTION EXTENDING.

Senator Potter offered the following resolution:

"Whereas, The Regular Session of the Senate of the Twenty-seventh Legislature will adjourn at noon, April 9, 1901, and we will separate after a pleasant association of three months; and

"Whereas. We desire to show our appreciation of the courtesies shown us by those who have been called upon to preside over this Senate during this very pleasant session; therefore, be it

"Resolved, That the thanks of the Senate be and they are hereby tendered to the Honorable J. N. Browning, Lieutenant-Governor of Texas, the President of this body, and to the Honorable Barry Miller, the Senator from Dallas, President Pro Tem. of the Senate, for the marked ability and fairness with which they have presided over this body during our session, and for the extreme courtesy and impartiality which directed their rulings at all times, assuring each of them of our very good wishes and friendship.

"Resolved, further, That we appreciate earnest efforts of the officers, clerks and employes of this Senate, who have ever been ready to assist us wherever possible, to discharge our public duty, endeavoring to lighten our burdens and make pleasant our stay at this capitol, and we thank them for their efficiency and faithfulness.

"Resolved, further, That we extend our thanks and appreciation to the newspaper reporters, who have so faithfully, fairly and justly reported the proceedings of the Senate during the session."

The resolution was read, and

On motion of Senator Potter, was laid on the table subject to call.

POST-SESSION CLERICAL WORK—REPORT OF COMMITTEE.

Committee Room,
Austin, Texas, April 5, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: We, your Committee, appointed under resolution to recommend such officers and employes as should be retained after adjournment, and to specify their duties, number of days pay, etc., beg leave to report as follows:

First. We recommend that the Secretary, J. P. Pool, the Journal Clerk, M. L. Goodwin, the Assistant Journal Clerk, M. G. Sanders, each be retained for twenty-five days after adjournment, and that they be instructed to prepare and deliver to the public printer the Journal of the Senate, together with a complete and comprehensive index to same, and to deliver to the Secretary of State all documents, bills, etc., and Journals by law required to be delivered to him by the Secretary of the Senate, and to tabulate and have printed as an appendix to the Journals, a correct and complete list of notaries public as confirmed by the Senate.

Second. That Mount Ray, the Calendar Clerk, be retained ten days after adjournment, and that he be instructed to check up, index and arrange such bills, resolutions, books and other documents as may remain in his possession, and deliver the same to the Secretary of the Senate.

Third. We recommend that the Sergeant-at-Arms, C. H. Allen, be instructed to immediately prepare a complete and itemized duplicate inventory of all property of the Senate, including all furniture and property in the Lieutenant-Governor's room, with marks of identification entered on the invoice, such inventory to show the condition and probable value of such property, and that each copy of each inventory be approved by the President of the Senate, and delivered by the Sergeant-at-Arms to the Superintendent of Public Buildings and Grounds, and one copy to the Secretary of State upon adjournment of this Legislature; and that the Sergeant-at-Arms be allowed five days after adjournment to deliver said property to the Superintendent of Public Buildings and Grounds, taking his receipt for same, which shall be delivered to the Secretary of State, and filed and kept by him and said receipt shall be delivered by the Secretary of State to the Sergeant-at-Arms of the Senate at the next Special or Regular Session of the Legislature, as soon as said Sergeant-at-Arms has been elected and qualified; and that the said Sergeant-at-Arms be allowed the two porters, Tom and Josh, to assist him, porters to be paid two dollars per day, and that this is to be paid out of the appropriation for the per diem for members, officers, clerks and employes.

Fourth. That each of the above and hereinafter named officers be paid the sum of five dollars per day for the time retained, and that this be paid out of the per diem appropriation for the Twenty-seventh Legislature.

Fifth. That the Postmistress, Mrs. Pauline Evans, be requested to make out a list of the Senators and employes of the Senate, with their respective post-office address, and furnish same to the postmaster at Austin, with the request that he forward their mail to their respective addresses after the 9th day of April, 1901.

Sixth. We recommend that the Engrossing Clerk and Enrolling Clerk each be required to deliver to the Secretary of the Senate all books and documents belonging to the Senate in their possession upon the adjournment of the Legislature, and that the Engrossing and Enrolling Clerks each be allowed two days

in which to complete their duties as such.

SEBASTIAN, Chairman,
PATTERSON,
STAFFORD.

Report was read, and adopted.

COMMITTEE REPORTS.

(By unanimous consent.)

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 288, "An Act to amend Article 276, Title XII, Chapter 1, of the Revised Statutes of 1895, so as to include the Fifty-first District in the list of those which elect a district attorney,"

And find the same correctly enrolled, and have this day, at 9:45 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

Committee Room,
Austin, Texas, April 6, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 179, being a bill to be entitled "An Act to make theft of cotton of the value of twenty dollars or over a felony,"

And find the same correctly engrossed.

BEATY, Chairman.

ENTERTAINMENT OF THE PRESIDENT OF THE UNITED STATES —RESOLUTION AUTHORIZING.

Senator Dibrell gave notice of withdrawing, and did withdraw, his resolution offered on yesterday regarding the entertainment of the President of the United States, and

Senators Hanger and Dibrell offered the following resolution:

Whereas, The Legislature heretofore extended an invitation to His Excellency, the President of the United States, to visit the city of Austin; and,

Whereas, the President has accepted the said invitation; therefore, be it

Resolved, That the President of the Senate is authorized to appoint a committee of five members of the Senate to assist in the reception of the President, and that the Senate Chamber may be used in said reception, and that the ex-

penses necessary to be incurred by said committee be paid out of the contingent fund of the Senate, upon approval by the President of the Senate.

(Senator Potter in the chair.)

Senator Staples here moved the previous question on the resolution, which motion being duly seconded, the Chair (Senator Potter) put the question—

Shall the main question be ordered?

The main question was ordered, and the resolution was adopted by the following vote:

Yeas—18.

Beaty.	Miller.
Davidson of Galveston.	Patterson.
Dibrell.	Paulus.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Turner.
Harris of Hunt.	Turney.
Johnson.	Wayland.
Lipscomb.	Wilson.

Nays—8.

James.	Potter.
Lloyd.	Savage.
McGee.	Sebastian.
Odell.	Wheeler.

Absent.

Neal.	Swann.
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Absent—Excused.

Davidson of Goss.
DeWitt. Yett.

Senator Hanger moved to reconsider the vote by which the resolution was adopted, and lay that motion on the table.

Motion to table prevailed.

FIRST HOUSE MESSAGE.

The following first House message was here delivered to the Senate:

Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 71, A bill to be entitled "An Act to amend Articles 3481 and 3498a, of Title LXXI, of the Revised Civil Statutes of the State of Texas, relating to mines and minerals."

Has rejected the Free Conference Committee report on Senate bill No. 152, and asks the appointment of another Free Conference Committee. The following are appointed on the part of the House: Messrs. Hendrick, McClellan, Bullock, Gray of Comanche, Hemphill.

Senate bill No. 136, A bill to be entitled "An Act providing for the extension of the corporate limits of any town or village incorporated for free school purposes only," with amendments.

Senate bill No. 286, A bill to be entitled "An Act to create a more efficient road system for Kerr county, in the State of Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing that in case of the death, refusal or inability to act, by any or all of said county commissioners, then the commissioners court of said county shall appoint some competent citizen to fill such vacancy, and providing for the appointment of road overseers and their duties, and for the working of county convicts on the public roads of said county, and providing for the payment of officers fees and rewards and penalties for said convicts, and for the working of delinquent poll and insolvent tax payers on the public roads of said county, and providing for the summoning of hands for road work, and providing for the appointment of one road superintendent for each precinct for said county, or one for each commissioners precinct in said county, and fixing penalties for the violation of this act."

Senate bill No. 299, A bill to be entitled "An Act to protect the public health by prohibiting the manufacture and sale of adulterated cigarettes," with amendments.

Senate bill No. 291, A bill to be entitled "An Act to create a more efficient road system for Brown county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners, and providing for the working of county convicts upon the public roads of said county, and providing for commutation of time for good behavior and good service, and providing for reward to be offered for the recapture of an escaped county convict, and providing for the trimming of hedges by the owner of land, and providing a penalty for failure to trim hedges, and providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons, and providing for the condemnation of land for public road purposes, and providing for the working of delinquent poll tax payers on the public roads, and relieving them from the payment of said work by the payment of the sum of three dollars, and providing further, making this law cumulative of the General Laws, and in case of conflict this

act to govern as to Brown county, Texas."

Respectfully,
LEE J. ROUNTREE,
Chief Clerk House of Representatives.

BILLS SIGNED BY THE PRESIDENT.

(Lieutenant-Governor Browning in the chair.)

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

House Concurrent Resolution No. 21, Authorizing the Superintendent of Public Buildings and Grounds to lease certain lots in the city of Austin."

House bill No. 169, "An Act to amend an act passed at the Regular Session of the Twenty-sixth Legislature, approved April 20, 1899, entitled 'An Act to amend Articles 3892, 3893 and 3894, Chapter 6, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the duties and extending the powers of the Board of Education in the investment of the permanent free school fund, and adding thereto Articles 3891a and 3894a, giving the State Board of Education an option of ten days on county bonds and on the bonds of incorporated cities; and provided that when a premium is paid for bonds the Board of Education shall refund the same, and to authorize commissioners courts to invest the permanent public free school fund belonging to the counties in this State, as provided in this act for the investment of the State permanent public free school fund.'"

House bill No. 138, "An act to amend Article 472, Chapter 6, Title XII, and repeal all laws and parts of laws in conflict herewith."

Free Conference Committee Substitute for Substitute House bill No. 31, "An Act making appropriations for the support of the State government for six months, beginning March 1, 1901, and ending August 31, 1901, and for other purposes."

Senate bill No. 271, "An Act to amend Article 943, of Chapter 3, Title XXVII, of Revised Civil Statutes, prescribing the action of the Supreme Court upon petitions for a writ of error to that court."

Senate bill No. 275, "An Act to amend Chapter 159 of the General Laws of Texas, relating to the appropriation of one hundred thousand dollars (\$100,000.00) to pay to officers and men of the Texas volunteers prior to the inmustering into the service of the United States in the late war with Spain; to pay those who were rejected; to pay for the necessary supplies, subsistence and transportation prior to their being mustered into

service; to authorize the Governor to collect from the United States all moneys expended under this act, extending the time for filing claims under said act, and making an appropriation for the payment of said claims."

Senate bill No. 281, "An Act authorizing the Board of Managers of the Southwestern Insane Asylum, at San Antonio, Texas, in conjunction with the Governor of the State of Texas, to contract for the sinking of an artesian well on the grounds belonging to said asylum."

Senate bill No. 222, "An Act to amend Article 5060g, Title CIV, Chapter 1a, of the Revised Civil Statutes of the State of Texas of 1895, regulating bond of liquor dealers."

Senate bill No. 248, "An Act to create a more efficient road system for Colorado county, making the county commissioners of said county ex-officio road commissioners; prescribing their duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts on the public roads of said county; to authorize the commissioners court to enact reasonable rules, regulations and punishments necessary for the government, control and discipline of said convicts, and for effectually securing and utilizing their labor; providing for the payment of costs due officers in misdemeanor convict cases; providing for commutation of time of convicts as a reward for faithful service and good behavior; providing for a reward not to exceed ten dollars, to be offered for the arrest and conviction of escaped county convicts and taxing such reward and all actual costs necessarily incurred in the recapture and conviction of such convict against such convict; making it a penal offense for a county convict to escape from any person having him in charge for the county, and providing for a penalty for such escape; providing for the trimming of hedges by the owners of land adjoining public roads, and providing a penalty for failure to trim such hedges; providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons; providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads; providing for the appointment of road overseers and defining their powers and duties, and providing for penalties for persons failing to work the roads when warned, and for persons failing to do good work, or to work in the manner prescribed by the commissioner or road overseer; providing for the summoning

of persons with teams, plows, scrapers and wagons to work in connection with the county's regularly organized road gang, or to repair roads in the precinct; providing for working convicts either upon the roads or the county farm, or partly upon both, in the discretion of the commissioners court; and providing for making such laws cumulative to the General Laws of the State, and in case of a conflict the special law is to apply to Colorado county, Texas."

Senate bill No. 304, "An Act to amend Title XVIII, Chapter 3, Article 407, so as to provide for the manner of appointing deputy marshals in cities and towns, and declaring an emergency."

Senate bill No. 298, "An Act further regulating the amendment of charters of corporations incorporated for the purpose of constructing, owning, maintaining and operating railroads, and providing for the making of extensions thereof, and branch lines thereof, under and by virtue of such amendments, and regulating the issuance of stocks and bonds to pay for the construction of such extensions and branch lines and terminal facilities, and to prohibit the attachment of liens theretofore existing upon the property of such extensions and branch lines and terminal properties, and to provide the manner and means of accomplishing such purposes."

Senate bill, No. 206, "An Act to amend Section 4, of Chapter 5, of the acts of the Special Session of the Twenty-fifth Legislature of the State of Texas, approved June 16, 1897, relating to the fees of sheriffs and constables; providing the amount of such fees, and for the payment of sheriffs' and constables' costs."

Senate bill No. 249, "An Act to restore and confer upon the county court of Angelina county, the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of the State of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court to such county to such change; to fix the time for holding court, and to repeal all laws or parts of laws in conflict with this act."

Senate Concurrent Resolution No. 12, Authorizing and instructing the Secretary of State, with the approval of the Governor, to exchange certain books, pamphlets, journals, reports, statutes and stereotype plates belonging to the State, in charge of the office of Secretary of State, for copies of the Session Acts, general and special, of the State of Texas, and the laws of the republic, bound in law sheep, and by said exchange to provide for the publishing of the Supreme Court Reporter, the reports

of the Civil Court and the reports of the Criminal Court of Texas, free to the State and to the public for a price not to exceed \$2.00 a volume for a term of years.

SUBSTITUTE HOUSE BILL NO. 71— FREE CONFERENCE COMMITTEE REPORT ADOPTED.

Austin, Texas, April 8, 1901.

To Hon. J. N. Browning, President of the Senate, and Hon. R. E. Prince, Speaker of the House of Representatives.

SIRS: We, your Free Conference Committee appointed to adjust differences between the House and Senate on Substitute House bill No. 71, beg leave to report as follows:

We recommend that the following Free Conference Committee substitute bill pass in lieu of Substitute House bill No. 71:

A BILL

TO BE ENTITLED

An Act relating to the sale and lease of public free school and asylum lands, and to repeal all laws and parts of laws in conflict herewith.

Be it enacted by the Legislature of the State of Texas.

Section 1. That it shall be the duty of the Commissioner of the General Land Office to notify in writing the county clerk of each county the classification and valuation fixed upon each section of land in his county, and in each county attached to it for judicial purposes, and said Commissioner of the General Land Office shall make forthwith a correct and revised list for each county of all unsold lands therein, and he shall forward the same by registered letter to the county clerk of the county for which said list was made, or to the county clerk of the county to which said county is attached for judicial purposes, and the Commissioner of the General Land Office shall, on application therefor, furnish any citizen a copy of said list for as many counties as applied for, making a reasonable charge for such list or lists, and the Commissioner of the General Land Office shall file the return receipt for said registered letter among the papers of his office and keep the same for future reference; and said Commissioner of the General Land Office shall also notify said clerk of each and every sale as soon as said sales are made. Upon receipt of said list, or any notice required to be given under the provisions of this act, the county clerk receiving the same shall forthwith file and record said list in a well bound book to be kept for that pur-

pose, and thereafter when notified of the sale of any section of land therein described he shall enter opposite the description of the land so sold, the name of the purchaser and the date when sold; and the said list so furnished said clerk, and said book shall be considered public records and open to public inspection, and it is hereby made the duty of the county clerk to exhibit said book and the records to any person who shall apply to him therefor. For the purpose of furnishing the several counties in this State and the clerks thereof with a revised list of all the unsold lands in this State, as provided in this act, the Commissioner of the General Land Office is hereby authorized to employ four expert clerks at a salary of not to exceed one hundred dollars per month, each; provided, their services shall be discontinued when said list shall have been made, and provided the employment shall not exceed six months.

The sum of twenty-four hundred dollars, or as much thereof as may be necessary, is hereby appropriated out of any funds in the treasury not otherwise appropriated for the purpose of carrying into effect the provisions of this act.

In case any county clerk of any county in this State after the receipt of the list of unsold lands or notices concerning the same, hereinbefore provided to be sent to him by the Commissioner of the General Land Office, shall fail to file, record or exhibit the same as hereinbefore provided, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred dollars nor more than five hundred dollars.

Sec. 2. Any person desiring to purchase school or asylum land shall make a separate application for each tract applied for, addressed to the Commissioner of the General Land Office describing the lands sought to be purchased, which application shall be accompanied with the affidavit of the applicant in effect that he desires to purchase the land for a home and has in good faith settled thereon, except where otherwise provided by law; and he shall also swear that he is not acting in collusion with others for the purpose of buying land for any other person or corporation, and that no other person or corporation is interested in the purchase thereof. He shall accompany said application with his obligation to the State, duly executed, binding the purchaser to pay to the State on the first day of November of each year thereafter until the whole purchase money is paid one-fortieth of the aggregate price with interest at the rate of three per cent. per annum on the whole unpaid purchase money, which interest shall also be pay-

able on the first day of November of each year. Said application, oath and obligation shall be filed in the office of the county clerk of the county in which the land applied for, or a part thereof, is situated, or of the county to which said county is attached for judicial purposes; but the clerk shall not file such application until the applicant shall have deposited with him the first payment of one-fortieth of the aggregate purchase money for the particular tract of land. Upon the receipt of said application and first payment, the county clerk shall endorse officially on the application the day and the hour of filing, and record the same in full in a well bound book to be kept by him for that purpose, and shall also note on his record of unsold school lands the name of the applicant and the date the application is filed and as soon as the application is recorded the book and page where recorded. The county clerk shall record the application and obligation without delay, recording all applications in the order in which they are filed, and shall forthwith transmit them when recorded to the Commissioner of the General Land Office and the first payment to the State Treasurer. All applications shall take effect from the time they are filed in the office of the county clerk of the proper county; and for filing and recording each application and noting the name of applicant and date of application on the record of unsold lands and transmitting it to the Commissioner of the General Land Office and the first payment to the State Treasurer, and all other services in connection therewith, the clerk shall be entitled to a fee of one dollar for each application, to be paid by the applicant. Any failure or refusal of the county clerk to perform any duties required in this section shall be an offense and upon conviction he shall be fined not less than one hundred dollars nor more than five hundred dollars.

Sec. 3. The Commissioner of the General Land Office is hereby prohibited from selling to the same party more than four sections of land, and all applications to purchase land shall also disclose the prior lands purchased by the applicant from the State, if any, since the taking effect of this act, and the residence of the applicant at said time, and if it appear therefrom or from the records in the land office that said applicant has already purchased land aggregating four sections since the taking effect of this act, his application shall be rejected; provided, this shall not apply to sales made to a purchaser and afterwards canceled as invalid for some reason other than abandonment and where the purchaser himself was not at fault.

Every purchaser shall be required within three years after his purchase to erect permanent and valuable improvements on the land purchased by him, which improvements shall be of the reasonable market value of three hundred dollars. If any purchaser shall fail to reside upon and improve in good faith the land purchased by him as required by law, he shall forfeit said land and all payments made thereon to the State, to the same extent as for the non-payment of interest, and such land shall be again upon the market as if no such sale and forfeiture had occurred, and all forfeitures for non-occupancy shall have the effect of placing the land upon the market without any action whatever on the part of the Commissioner of the General Land Office; and if any purchaser shall be forced to yield possession of the land purchased by him from the State on account of any writ or other judicial process issued from a court of competent jurisdiction, or be compelled to temporarily yield his possession from a well-grounded fear of death or serious bodily injury, such absence shall not work the forfeiture provided by law for non-occupancy; but no writ of injunction shall issue in any case involving the title or possession of lands herein referred to where the applicant has an adequate remedy at law by sequestration or otherwise.

Sec. 4. Any person desiring to lease any portion of the lands belonging to any of the funds mentioned in this act shall make application in writing to the Commissioner of the General Land Office, specifying and describing the particular lands he desires to lease; and thereupon the Commissioner, if the lands applied for are subject to lease, and not in immediate demand for actual settlement, shall notify the applicant in writing who first files written application therefor that his proposition to lease is accepted, and thereupon he shall execute to the lessee in the name and by the authority of the State of Texas a lease of said lands for such a time as may be agreed upon, not to exceed five years, and when satisfied that the lessee has paid to the Treasurer of the State the rent for one year in advance, he shall deliver said lease to the clerk of the county court of the county in which the land is situated, or of the county to which said county is attached for judicial purposes and it shall be the duty of the clerk to record in a well bound book kept in his office, open to public inspection, a memorandum or abstract of said lease, showing the number of the survey or surveys leased, the name of the original grantee, the amount leased, the name of the les-

see, the date of the lease and the number of years it has to run; and for entering said memorandum the clerk shall be entitled to a fee of twenty-five cents. Upon payment of said fee the clerk shall deliver the lease to the lessee, and no other record of leases hereafter made shall be required except said memorandum. When any of such leases are filed for record the clerk shall make the memorandum or abstract above provided for. All lands which may be leased shall be subject to sale at any time, except where otherwise provided herein. This provision in regard to the sale of leased lands shall apply to leases heretofore made as well as those hereafter to be made. Any section or part of a section which may be leased shall not be sold except to the lessee, nor shall the lessee be disturbed in his possession thereof during the term of his lease, when he has placed on such section or part of a section improvements to the value of two hundred dollars.

In the following named counties lands heretofore leased shall not be subject to sale until said leases expire, except as provided herein, to wit: Kent, Garza, Lynn, Scurry, Borden, Dawson, Mitchell, Martin, Howard, Coke, Sterling, Glasscock, Tom Green, Irion, Schleicher, Menard, Mason, Uvalde, Frio, Kerr and Bandera, provided that after the expiration of five years from the date this act takes effect all lands now under lease in any of the counties above named shall be subject to sale regardless of the fact as to whether the lease on the land has expired.

Sec. 5. The following counties shall constitute the absolute lease district, to wit: El Paso, Jeff Davis, Presidio, Brewster, Reeves, Pecos, Loving, Winkler, Kimball, Ward, Yoakum, Terry, Gaines, Andrews, Ector, Midland, Upton, Crane, Crockett, Sutton, Val Verde, Edwards, Kinney, Maverick, Zavala, Dimmit, La Salle, McMullen, Webb, Duval, Nueces, Zapata, Starr, Hidalgo and Cameron. All tracts of land lying partly inside and partly outside of the absolute lease district shall be considered for the purpose of sale and lease, as being wholly without said district. And lands situated in the absolute lease district which may be leased shall not be sold during the term of the lease, except as provided herein. On the expiration of any lease in the absolute lease district the lands shall remain subject to sale for a period of sixty days, except where there are improvements on a section of the value of two hundred dollars or more, and if it has been previously classified and valued by the Commissioner of the General Land Office, and notice given to the county clerk, it shall not be necessary to give

the clerk any further notice in order to put the land on the market, but it shall be considered as already on the market and subject to sale. During said period of sixty days the Commissioner of the General Land Office shall suspend action upon any application to lease said land, and shall award it upon any legal application to purchase made during said time. And that party purchasing any of said lands, whether inside or outside of the absolute lease district, within the inclosure of another, shall not turn loose any stock within the inclosure until he shall have provided sufficient water for the stock so turned loose, and any violation of this provision shall be an offense, and upon conviction the party so offending shall be fined one dollar for each head of stock so turned loose, and each thirty days violation shall constitute a separate offense.

If no application to purchase has been filed in the proper county clerk's office within sixty days after the expiration of the lease, then the former lessee shall have a preference right over any one else for thirty days thereafter to re-lease such lands or any part thereof, but his lease shall run from the expiration of his old lease. In all cases where the lease is terminated under any of the provisions of this act before the expiration of the term of lease the lessee shall have a pro rata credit upon his next year's rent or the money refunded to him by the Treasurer, as he may elect. On the expiration of his lease or its termination under the provisions of law, or by a final judgment of any court of competent jurisdiction, the lessee shall have the right for the period of sixty days to remove any or all improvements he shall have placed upon the leased premises.

No purchaser or other person than the lessee shall be permitted to turn loose within such lessee's inclosure more than one head of horses, mules or cattle, or in lieu thereof four head of sheep or goats, for every ten acres of land so purchased, owned or controlled by him and uninclosed. Each violation of the provisions of this act which restrict the number of stock which may be turned loose in such inclosure shall be an offense, and the offender, on conviction, shall be punished by fine of one dollar for each head of stock he may so turn loose, and each thirty days' violation of the provisions of this section shall constitute a separate offense.

The Commissioner of the General Land Office is hereby prohibited from renewing any lease before its expiration, as shown on the face of the original lease contract; and no lease contract shall be canceled, except in cases where

the land has been or may be sold as provided by law, or where the lessee fails to pay the annual rental due the State within sixty days from the date it becomes due. And when the lessee shall fail to pay his annual rental within sixty days after it becomes due, the Commissioner of the General Land Office shall cancel said lease and immediately notify the county clerk of the county in which the land or a part thereof is situated of the cancellation and the date when canceled, and the clerk shall note the date of cancellation on his lease record, and the land shall be on the market for sale for sixty days after said cancellation.

Sec. 6. Any lessee shall have sixty days prior right to purchase lands as an actual settler at expiration of his lease; and provided further, that if the sections sought to be purchased have each improvements upon them of a permanent nature of the value of five hundred dollars, that then said section or sections need not be situated within the five mile radius as fixed by law; and provided further, that all lands purchased under this act that are not purchased under this preference right herein given lessees shall be situated within the five mile radius now required by law.

Sec. 7. All lands which are now or which may hereafter become detached lands shall be sold to actual settlers only on such terms and conditions as are now or which may hereafter be provided by law.

Sec. 8. The Commissioner of the General Land Office shall adopt such regulations for the sale of timber on the timbered lands as may be deemed necessary and judicious. Such timber shall not be sold for less than five dollars per acre, cash, except in such cases as the Commissioner may ascertain by definite examination by an approved agent appointed by him for that purpose, to be paid by the purchaser, to be sparsely timbered or containing timber of but little value, in which case he may sell the timber on such sections or part of sections at its proper value; provided, such timber is sold at not less than two dollars per acre. The purchaser shall have five years from the date of his purchase within which to remove the timber therefrom, and in case of failure to do so, such timber shall thereby be forfeited to the State without judicial ascertainment; provided, that all timbered lands from which the timber has been cut and taken off may be placed on the market and sold as agricultural or grazing lands, according to classifications to be made by the Land Commissioner; provided, that upon application of the

purchaser or his vendees of any such timber made within five years from the purchase of such timber the Commissioner of the General Land Office shall have said land classified at the expense of the owner of said timber as agricultural or grazing land, and the owner of said timber shall have the right to purchase said land at the valuation fixed by said Commissioner on the same terms and conditions as other lands of like classification are sold under the provisions of this act.

Sec. 9. That all laws and parts of laws in conflict with this act are hereby repealed.

Sec. 10. The importance of the legislation proposed and the crowded condition of the calendar, rendering it improbable that this bill can be read on three several days, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect from and after its passage, and it is so enacted.

TURNEY, Chairman;
SEBASTIAN,
HARRIS of Bexar,
WILSON,
BEATY,

Committee on part of the Senate.
HENDERSON of Lamar, Chairman;
HAWKINS,
TALBOT,
BRYAN,
BULLOCK,

Committee on part of the House.

The foregoing report having been read was, on motion of Senator Sebastian, adopted.

SENATE BILL NO. 136—HOUSE AMENDMENTS CONCUR- RED IN.

Senator Paulus called up from the table, where it lay with House amendments,

Senate bill No. 136, A bill to be entitled "An Act to provide for the extension of the corporate limits of any town or village incorporated for free school purposes only,"

And moved that the Senate concur in the following House amendments:

"Amend by striking out all after the enacting clause and substitute the following:

"Section 1. That Article 616a, Title XVIII, Chapter 11, of the Revised Civil Statutes of the State of Texas, be so amended as to hereafter read as follows:

"Article 616a. Towns and villages authorized to incorporate under this

chapter, or having two hundred inhabitants or over, may form an incorporation for free school purposes only, which may include within its bounds a town or village incorporated for municipal purposes, the same not having assumed control of the public schools within its limits; provided, that the territory so incorporated for free school purposes shall not exceed in area twenty-five square miles; and when so desiring, an election may be held under the provisions of this title and chapter, and if at such election a majority of the votes cast be in favor of the incorporation it shall be the duty of the county judge to make return thereof, and cause a record of the result of such election to be made the same as provided for by Articles 585 and 586 of this chapter; upon which entry being made, such town or village shall be regarded as duly incorporated for the purpose of establishing and maintaining free schools therein, and shall, upon notice to the State Board of Education by the board of trustees hereinafter provided for, receive such pro rata share of the available school fund as its scholastic population may entitle it to; provided, that if at any time after two years after the election provided for herein any of the qualified voters within such territory, not less in number than a majority of the qualified voters within the territory to be so changed or cut off, finding themselves so situated that it is to their advantage to form another district within such bounds or to be attached to some other contiguous school district, they shall be permitted to petition to the commissioners court for such relief as they may desire, at least a majority of the qualified voters within the boundary of the proposed new territory joining in said petition, the petition to be considered at a regular term of said court, and notice of such application given by posting in three public places within the bounds of such original school district, when, if the said commissioners court shall determine, after thorough investigation, that the best interest of public schools in said locality demand it, said court shall order the changing of the boundaries of said district so as to grant the relief to which said petitioners are entitled; provided further, that said change of the boundary of an independent school district shall be made on or before the 20th day of June in any year, and not thereafter; provided, that when any part of a school district is stricken off and attached to or created into another district, the part stricken off shall be holden for and obliged to pay its proportion of all the liabilities then exist-

ing of the district from which it was taken in the same manner as is provided by law relating to counties; and provided, also, that all school incorporations hereafter formed under the provisions of this act shall have the right to levy and collect taxes and issue bonds for school purposes the same as school incorporations heretofore formed. When a town or village is included within a corporation for free school purposes, and such town or village shall afterwards be incorporated for municipal purposes, it shall not thereby acquire a right to take the control of the school within its limits out of the hands of the school corporation. Independent school districts heretofore organized which have not the required population in the town proper, but have such population in the whole independent district, shall be validated by this act.

"Amend by adding immediately after the word 'territory,' line 32, page 1, the following: 'Including the existing independent school district and the territory desiring to be annexed or cut off.'

"Also by striking out on page 2, line 2, the word 'or,' and adding after 'off,' line 2, page 2, the following, 'or annexed.'

"Also by adding between the words 'two' and 'some,' page 2, line 4, the following, 'or cut off from.'

"Amend by striking out on page 2, lines 6 and 7, all between the words 'boundary' and 'joining' and substitute the following therefor, 'of the existing independent school district and also at least a majority of the qualified voters of the section to be added to or cut off from the existing independent school district.'

"Amend the caption by striking out all after the word 'act' and substitute the following, 'to amend Title XVIII, Chapter 2, Article 616a, of the Revised Civil Statutes of the State of Texas, relating to the creation of independent school districts, so as to empower the commissioners court to alter or change the boundary lines of an independent school district.'

"Amend the bill by adding the following: 'Whereas, by reason of the fact that the school trustees of towns and villages incorporated for free school purposes, in case of an increase or decrease of the boundaries of such town or village, and of its scholastic population, are thereby confronted with new conditions with reference to tax levies, the employment of an adequate corps of teachers and making suitable provisions for increased demand for school room, which is liable to create the necessity for the construction of additional

buildings, and also the importance to all parents to know at an early period what provision is to be made for the schooling of their children for the ensuing scholastic year, and by reason of there being many instances where the extension or diminution of such corporate limits is desired, by which local interests will be promoted, an imperative public necessity and an emergency is created requiring the constitutional rule requiring bills to be read on three several days be and the same is hereby suspended, and this bill is put on its third reading and final passage, and that this act take effect from and after its passage, and it is therefore so enacted.'"

After the foregoing House amendments had been read, the motion of Senator Paulus prevailed.

SENATORIAL COMMITTEE IN PRESIDENTIAL ENTERTAINMENT —ANNOUNCED.

The Chair here announced the following committee to assist in the entertainment of President McKinley upon the occasion of his visit in the city of Austin (see resolution above):

Senators Dibrell, Hanger, Davidson of Galveston, Patterson and Turner.

HOUSE BILL NO. 409—ON THIRD READING.

On motion of Senator Davidson of Galveston, the pending order of business (Senate bill No. 169) was suspended and the Senate took up, out of its order,

House bill No. 409, A bill to be entitled "An Act to aid Brazoria county, Texas, by supplementing the road and bridge fund by donating and granting to it the State ad valorem and occupation taxes collected upon property and persons in said county for a period of ten years, and providing for a proper transfer of said fund."

The Chair laid the bill before the Senate, on its third reading.

Bill was read third time, and passed.

Senator Davidson of Galveston moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

HOUSE BILL NO. 432—ON SECOND READING.

On motion of Senator Wilson, the pending order of business (Senate bill No. 169) was suspended and the Senate took up, out of its order,

House bill No. 432, A bill to be entitled "An Act to facilitate the tracing of stolen or illegally disposed of cotton."

The Chair laid the bill before the Senate, on its second reading.

Bill was read second time, and passed to a third reading.

On motion of Senator Wilson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Odell.
Davidson of Galveston.	Patterson.
Dibrell.	Paulus.
Grinnan.	Potter.
Hanger.	Savage.
Harris of Bexar.	Sebastian.
Harris of Hunt.	Staples.
Johnson.	Swann.
Lipscomb.	Turner.
Lloyd.	Turney.
McGee.	Wayland.
Miller.	Wheeler.
Neal.	Wilson.

Absent.

James.	Stafford.
Absent—Excused.	
Davidson of DeWitt.	Goss.
	Yett.

Bill was read third time, and passed. Senator Wilson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

Motion to table prevailed.

COMMITTEE REPORTS.

(By unanimous consent.)

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

House bill No. 191, being a bill to be entitled "An Act to amend Article 5087, of Chapter 2, Title CIV, of the Revised Civil Statutes of 1895,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DIBRELL, Chairman.

Committee Room,
Austin, Texas, April 8, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate Joint Resolution No. 10, Authorizing the Governor of the State of Texas to employ competent counsel to

represent the State in its claims against the United States growing out of the Greer county cases,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DIBRELL, Chairman.

SECOND HOUSE MESSAGE.

The following second House message was here delivered to the Senate:

Hall of the House of Representatives.
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 409.

Also the House has adopted the Free Conference Committee report on Substitute House bill No. 71, the land bill—101 yeas, 2 nays.

Also the House has concurred in Senate amendments to House bill No. 14 by 80 yeas, 24 nays.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

SENATE BILL NO. 152—SENATE RE-CEDES FROM ITS POSITION.

Senator Davidson of Galveston called up

Senate bill No. 152, A bill to be entitled "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem, occupation and poll taxes collected upon property and from persons in said city for a period of fifteen years, and to provide a penalty for their misapplication,"

Which had been laid before the Senate, and the Senate had refused to concur in the House amendments thereto, and was here called up for the purpose of receding from the Senate's position.

The Chair laid the bill before the Senate with House amendments.

On motion of Senator Davidson of Galveston, the Senate receded from its position in refusing to concur in the House amendments, and concurred in the same, as follows:

"Amend the bill by striking out the word 'fifteen,' in Section 1, line 5, page 2, and insert the word 'two.'"

Senator Davidson of Galveston moved to reconsider the vote by which the House amendments were concurred in, and lay that motion on the table.

Motion to table prevailed.

SENATE BILL NO. 299—HOUSE AMENDMENTS NOT CON- CURRED IN.

Senator Hanger called up from the table, where it lay with House amendments,

Senate bill No. 299, A bill to be entitled "An Act to protect the public health by prohibiting the manufacture or sale of adulterated cigarettes,"

And moved that the Senate concur in the following House amendments thereto:

"Strike out all after the enacting clause and insert in lieu thereof the following: 'Hereafter it shall be unlawful for any person, firm or association of persons to sell or offer for sale any manufactured cigarette. Any person, firm or association of persons violating the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not more than one hundred dollars.'"

Senator Miller offered a substitute motion that the Senate do not concur in the House amendments.

On that motion, Senator Odell moved the previous question, which motion being duly seconded,

The Chair put the question—

Shall the main question be now ordered?

The main question was ordered by the following vote:

Yeas—15.

Beaty.	Lloyd.
Davidson of	McGee.
Galveston.	Odell.
Grinnan.	Savage.
Harris of Bexar.	Staples.
Harris of Hunt.	Swann.
James.	Wheeler.
Lipscomb.	Wilson.

Nays—6.

Dibrell.	Turner.
Hanger.	Turney.
Sebastian.	Wayland.

Absent.

Johnson.	Paulus.
Miller.	Potter.
Neal.	Stafford.
Patterson.	

Absent—Excused.

Davidson of	Goss.
DeWitt.	Yett.

Action then recurred on the motion of Senator Miller to not concur in the House amendments to Senate bill No. 299, the same prevailing by the following vote:

Yeas—14.

Beaty.	Davidson of
	Galveston.

Dibrell.	Odell.
Grinnan.	Staples.
Harris of Bexar.	Swann.
Lipscomb.	Turner.
McGee.	Turney.
Miller.	Wheeler.

Nays—8.

Hanger.	Potter.
Harris of Hunt.	Savage.
James.	Sebastian.
Lloyd.	Wilson.

Absent.

Johnson.	Paulus.
Neal.	Stafford.
Patterson.	Wayland.

Absent—Excused.

Davidson of	Goss.
DeWitt.	Yett.

Senator Staples moved to reconsider the vote by which the Senate refused to concur in the House amendments to Senate bill No. 299, and lay that motion on the table.

Motion to table prevailed.

HOUSE BILL NO. 436—MOTION TO TAKE UP ON THIRD READING.

Senator Odell moved that the pending order of business (Senate bill No. 169) be suspended and the Senate take up, out of its order, and on its third reading,

House bill No. 436, A bill to be entitled "An Act to regulate the hours of daily service of laborers, workmen and mechanics employed upon the public works of or work done for the State of Texas, and providing contract stipulations therefor, and fixing penalties for the violations of the provisions of this act,"

And moved the previous question on the motion to suspend the pending business and on the passage of the bill.

The Chair announced that the motion to suspend the pending business was not debatable; therefore the motion for the previous question was not necessary.

Senator Dibrell made the point of order that the motion to suspend the pending business was debatable, which point the Chair sustained.

Senator Odell then made the point of order that, under the ruling of the Chair just previously made, the motion to suspend the pending business was not debatable.

The Chair overruled the point of order, from which ruling Senator Odell appealed.

Senator Dibrell made the point of order that no appeal could be taken while a Senator had the floor (he—Senator Dibrell—having been declared in posses-

sion of the floor by the Chair), which point the Chair overruled.

The question recurring on the appeal from the ruling of the Chair made by Senator Odell, the Chair was sustained by the following vote:

Yeas—12.

Dibrell.	Patterson.
Hanger.	Paulus.
James.	Potter.
Johnson.	Sebastian.
Lloyd.	Turney.
Neal.	Wayland.

Nays—10.

Davidson of	Odell.
Galveston.	Staples.
Harris of Bexar.	Turner.
Harris of Hunt.	Wheeler.
Lipscomb.	Wilson.
McGee.	

Present—Not voting.

Grinnan.

Absent.

Beaty.	Stafford.
Miller.	Swann.
Savage.	

Absent—Excused.

Davidson of	Goss.
DeWitt.	Yett.

And Senator Dibrell was declared in possession of the floor.

HOUSE BILL NO. 436—REASON FOR VOTE.

"I vote against sustaining the Chair on its ruling on the point of order made by the Senator from Johnson (Odell), because the Chair was in error in holding that the previous question could not be ordered on a motion to suspend pending business and take up House bill No. 436 out of its regular order.

"TURNER."

"I avail myself of a privilege and practice long in vogue in this Senate to spread my reasons on the Journal for casting my vote not to sustain the Chair in his ruling on the point of order made that discussion was not in order on the motion to suspend pending business and take up House bill No. 436 on its third reading and final passage. This bill substantially embodied the following demand contained in the democratic State platform: 'We demand a law limiting the hours of daily service of laborers, workmen and mechanics employed upon public works or work done for the State of Texas to eight hours a day.' It is not my purpose to discuss the merits of the bill, the wisdom of this platform demand or the policy of enacting

the bill into a law, but I conceive it to be my duty to accurately and impartially record the manner in which this bill was defeated. First, a large majority of the Senate favored the passage of the bill, as evidenced by the vote on engrossment of the bill, there being but three votes against it. On the motion to call up the bill the previous question was moved and seconded. Senate Rule No. 21 is as follows: 'When a question is under consideration by the Senate, no motion shall be made except the previous question.' When the previous question was moved the President of the Senate ruled it out of order because discussion was not permissible as stated by him on a motion to suspend pending business and take a bill up out of its regular order. Immediately thereafter and without intermission the President of the Senate recognized Senator Dibrell, and on a point of order being made on the ruling just before announced by the President that discussion was not permissible the President refused to sustain the point, reversed himself within three minutes and permitted Senator Dibrell the floor. The result is the bill is denied a vote on final passage, and defeated. Had the previous question been ordered as moved, and as provided for in the rule quoted, the bill would probably have passed. As to whether this would have been wise is not the issue. The parliamentary somersault that killed it is what I desire to direct attention to, and I submit that the manner of the bill's death was unfair, and for that reason I appealed from the ruling of the Chair, and voted not to sustain said ruling.

"ODELL."

When the Senator from Johnson (Odell) moved the previous question on his motion to suspend the pending business and on the passage of the bill (House bill No. 436) the Chair announced that the Rules of the Senate did not permit discussion on a motion to suspend a Senate rule, and for that reason the motion for the previous question was unnecessary. Upon this announcement Senator Odell stated that he would not insist upon his motion for the previous question.

Senator Dibrell, being recognized by the Chair, claimed the right to discuss the motion of Senator Odell to suspend the Rules to take up the bill (House bill No 436) and began discussing the motion.

Senator Odell then made the point of order that Senator Dibrell was out of order; that, under the Senate Rules and the ruling the Chair had just made, the motion to suspend the Rules and take up

the bill (House bill No. 436), just made by him, could not be debated.

Senator Dibrell insisted that the Chair was in error as to the Senate Rule upon the question.

The Chair then requested that he be cited to the rule governing the point made by Senator Odell. The Chair then examined the Senate Rules and stated that he would have to confess his error in first suggesting to Senator Odell that the motion to suspend, made by him, was not debatable; that the Senate Rules appeared to be silent on the point of order then under consideration, and, being silent, he was compelled to hold that the motion to suspend was debatable. The Chair further stated that he had, under a misapprehension of what the rule was, unthoughtedly suggested to Senator Odell in the first instance that his motion for the previous question was unnecessary, and by so doing he had unintentionally misled Senator Odell. The Chair further confessed his embarrassment in the wrong done Senator Odell, and requested Senator Dibrell to yield the floor to Senator Odell in order that he (Senator Odell) might again make the motion for the previous question if he saw proper to do so. Senator Dibrell then stated that he appreciated the Chair's embarrassment and, under ordinary circumstances, would comply with the Chair's request, but that in this instance, because of the iniquity of the bill sought to be called up by Senator Odell and the desire of the friends of the measure to invoke the gag rule, that he was compelled to decline to comply with the Chair's request, and insisted that he rightfully had the floor.

The Chair then stated that he would hold that Senator Dibrell had the legal right to the floor for the purpose of discussing Senator Odell's motion to suspend the pending business and take up House bill No. 436, and would overrule the point of order above made by Senator Odell, but stated also that, while he believed his last ruling to be correct, yet, under the peculiar circumstances, he would be obliged if Senator Odell or some other Senator would appeal from the decision of the Chair, and thereupon Senator Odell appealed to the Senate.

Senator Dibrell then moved that no appeal could be taken while a Senator had the floor (he—Senator Dibrell—having been declared in possession of the floor by the Chair), which point the Chair overruled.

BROWNING.

THIRD HOUSE MESSAGE.

The following third House message was here delivered to the Senate:

Hall of the House of Representatives.
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on Senate bill No. 22.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

BILLS SIGNED BY THE PRESIDENT.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

House bill No. 541, "An Act to create a more efficient road system for Erath county, in this State, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners, and providing for the condemning of material for the construction and maintenance of public roads, and to provide for the compensation for the material used, and providing for the working of the county convicts on the public roads and the purchase of supplies for such convicts, and rewards for the capture of escaped county convicts, and for commutation of sentence for faithful service and good behavior, and defining the powers and duties of road overseers, and to provide for the summoning of hands and teams for road work, and the allowance of time for service of hands and teams on public roads, and fixing a penalty for the violation of same, and relieving them from the performance of such work by the payment of three dollars; and providing further, making this act cumulative of the general laws now in force, and to repeal all laws in conflict with this act, and declaring an emergency."

House bill No. 14, "An Act to amend Article 336, Chapter 3, Title IX, of the Penal Code of the State of Texas, relating to affrays and disturbance of the peace."

Senate bill No. 71, "An Act to amend Articles 3481 and 3498a, of Title LXXI, of the Revised Civil Statutes of the State of Texas, relating to mines and mining."

Substitute Senate bill No. 152, "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem and part of the occupation and poll taxes collected upon property and from persons in said city for a period of fifteen years, and to provide a penalty

for their misapplication," with amendment.

Senate bill No. 166, "An Act to authorize and empower the Railroad Commission of the State of Texas to regulate railways crossing each other; to provide for interlocking or other safety appliances or devices of equal security to prevent trains colliding at such crossings, and to provide a penalty for refusal to comply with the provisions of this act, and to repeal all laws and parts of laws in conflict with this act."

PRESIDENT PRO TEMPORE—ELECTION OF.

The Chair announced that as the hour for sine die adjournment was drawing near, he would hold the election of a President Pro Tempore, as is necessary at the termination of each session, to be a special order for this morning, and Senator Dibrell yielded the floor for that purpose.

Nominations for President Pro Tempore were declared to be in order.

Senator Hanger placed in nomination for President Pro Tempore Senator George D. Neal, of Grimes county.

There being no other nominations, the roll was called, the following Senators voting for Senator Neal:

Neal—27.

Beaty.	Odell.
Davidson of	Patterson.
Galveston.	Paulus.
Dibrell.	Potter.
Grinnan.	Savage.
Hanger.	Sebastian.
Harris of Bexar.	Stafford.
Harris of Hunt.	Staples.
James.	Swann.
Johnson.	Turner.
Lipscomb.	Turney.
Lloyd.	Wayland.
McGee.	Wheeler.
Miller.	Wilson.

Present—Not voting.

Neal.

Absent—Excused.

Davidson of	Goss.
DeWitt.	Yett.

The Chair appointed Senators Hanger, James and Patterson to conduct the newly elected President Pro Tempore to the Chair.

The induction of Senator Neal into office as President Pro Tempore then followed.

BILLS SIGNED BY THE PRESIDENT.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Senate bill No. 140, "An Act to amend Articles 529, 529e and 529g, and repealing Article 529l, of Chapter 56, of the General Laws of the State of Texas of 1899, and adding Articles 529v and 529w to Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895, and amending Article 529s, of Chapter 98, of the General Laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds, game, etc., and repealing all laws in conflict herewith."

Senate bill No. 105, "An Act to amend Section 4, Chapter 7, of the Act passed by the Called Session of the Twenty-sixth Legislature, approved February 21, 1900, so as to provide that school trustees in independent school districts not in a city or town having an assessor and collector shall elect from the members of the board an assessor and collector of taxes; and to prescribe his powers and duties and the duties of the board with reference to the collection of taxes; also for the organization of the board and the election of officers."

Senate bill No. 101, "An Act to prohibit the keeping or exhibiting for the purpose of profit or gaming, any gaming table or bank, pigeon hole table or jenny lind table, or nine or ten pin alley or alley of any kind whatever regardless of the number of pins, balls or rings used for profit or gaming."

Senate bill No. 145, "An Act to amend Article 290 of the Penal Code of the State of Texas, to further define barratry so as to include the fomenting of litigation by attorneys at law by soliciting employments or advancing money or other things of value to the parties to litigations in order to procure employment."

COMMITTEE REPORTS.

(By unanimous consent.)

Committee Room,

Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 71, "An Act to give the Board of Regents of the University of Texas exclusive control, management and disposition of all mineral lands belonging to the University of Texas,"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 298, "An Act further regulating the amendment of charters of corporations incorporated for the purpose of constructing, owning, maintaining and operating railroads, and providing for the making of extensions thereof, and branch lines thereof, under and by virtue of such amendments, and regulating the issuance of stocks and bonds to pay for the construction of such extensions and branch lines and terminal facilities, and to prohibit the attachment of liens theretofore existing upon the property of such extensions and branch lines and terminal properties, and to provide the manner and means of accomplishing such purposes."

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Substitute Senate bill No. 152, "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem and a part of the occupation and poll taxes collected on property and from persons in said city for a period of fifteen years, and to provide a penalty for their misapplication,"

And find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 304, "An Act to amend Title XVIII, Chapter 3, Article 407, so as to provide for the manner of appointing deputy marshals in cities and towns, and declaring an emergency,"

And find the same correctly enrolled,

and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 248, "An Act to create a more efficient road system for Colorado county; making the county commissioners of said county ex-officio road commissioners; prescribing their duties as such, and providing for their compensation as such road commissioners; providing for the working of county convicts on the public roads of said county; to authorize the commissioners court to enact reasonable rules, regulations and punishment necessary for the government, control and discipline of said convicts, and for effectually securing and utilizing their labor; providing for the payment of costs due officers in misdemeanor convict cases; providing for a commutation of time of convicts as a reward for faithful service and good behavior; providing for reward not to exceed \$10 to be offered for the arrest and conviction of escaped county convicts, and taxing such reward and all actual costs necessarily incurred in the recapture and conviction of such convict against such convicts; making it a penal offense for a county convict to escape from any person having him in charge for the county, and providing for a penalty for such escape; providing for the trimming of hedges by the owners of land adjoining public roads, and providing a penalty for failure to trim such hedges; providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons; providing for the condemnation of land for public road purposes; providing for the working of delinquent poll tax payers on the public roads; providing for the appointment of road overseers, and defining their powers and duties; and providing for penalties for persons failing to work the roads when warned, and for persons failing to do good work, or to work in the manner prescribed by the commissioner or road overseer; providing for the summoning of persons with teams, plows, scrapers and wagons to work in connection with the county's regularly organized road gang, or to repair roads in the precinct; providing for the working of convicts either upon the roads or the county farm, or partly on both, in

the discretion of the commissioners court; and providing for making such laws cumulative to the general laws of the State, and in case of conflict the special law is to apply to Colorado county, Texas."

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 281, "An Act authorizing the board of managers of the Southwest Texas Lunatic Asylum at San Antonio, Texas, in conjunction with the Governor of the State of Texas, to contract for the sinking of an artesian well on the grounds belonging to said asylum,"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 222, "An Act to be entitled 'An Act to amend Article 5060g, Title CIV, Chapter 1a, of the Revised Civil Statutes of the State of Texas of 1895, regulating bond of liquor dealers,'"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 275, "An Act to amend Chapter 159 of the General Laws of Texas, relating to the appropriation of one hundred thousand dollars (\$100,000) to pay the officers and men of the Texas volunteers prior to the inmustering into the service of the United States in the

late war with Spain; to pay those who were rejected; to pay for the necessary supplies, subsistence and transportation prior to their being mustered into service; to authorize the Governor to collect from the United States all moneys expended under this act, extending the time for filing claims under said act, and making an appropriation for payment of said claims,"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 249, "An Act to restore and confer upon the county court of Angelina county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court, and to repeal all laws and parts of laws in conflict with this act,"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 12, Authorizing and instructing the Secretary of State, with the approval of the Governor, to exchange certain books, pamphlets, journals, reports, statutes and stereotype plates belonging to the State, in charge of the office of the Secretary of State, for copies of the Session Acts, general and special, of the State of Texas, and the Laws of the Republic, bound in law sheep, and by said exchange to provide for the publishing the Supreme Court Reporter, the reports of the Civil Court and the reports of the Criminal Court Reports of Texas free to the State and to the public for a price not to exceed \$2.00 per volume for a term of years,

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 271, "An Act to amend Article 943, of Chapter 3, Title XXVII, of Revised Civil Statutes, prescribing the action of the Supreme Court upon petitions for a writ of error to that court,"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 166, "An Act to authorize, require and empower the Railroad Commission of the State of Texas to regulate the railways crossing each other; to provide for the interlocking or other safety appliances or devices of equal security to prevent trains colliding at such crossings, and to provide a penalty for refusal to comply with the provisions of this act; and repeal all laws and parts of laws in controversy with this act,"

And find the same correctly enrolled, and have this day, at 11:30 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 206, "An Act to amend Section 4, of Chapter 5, of the Acts of the Special Session of the Twenty-fifth Legislature of the State of Texas, approved June 16, 1897, relating to the fees of sheriffs and constables; providing the amount of such fees, and for the payment of sheriffs' and constables' costs,"

And find the same correctly enrolled, and have this day, at 11:15 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

(Senator Turney in the chair.)

REPORT OF COMMITTEE ON CONTINGENT EXPENSES.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: We, your Committee on Contingent Expenses, beg leave to report we have approved the following accounts for the Senate of the Twenty-seventh Legislature, the vouchers for which are now on file in the office of the State Comptroller:

FOR JANUARY.

C. H. Allen, stamps, wrappers, etc.	\$ 92 00
Mrs. Grubbs, laundry.....	4 50
Von Boeckman, Schutze & Co., printing	196 26
Patsy Lewis, laundry.....	5 50
Geo. P. Assman, repairs to desks and locks	20 50
Total	\$ 318 76

FOR FEBRUARY.

Martha Grubb, laundry.....	\$ 6 75
C. H. Allen, postage.....	68 00
Corner Book & Stationery Company, supplies.....	168 25
Galveston-Dallas News, papers.	15 81
Ben C. Jones & Co., paper.....	352 87
Von Boeckman, Schutze & Co., printing	305 03
R. W. Lorange, Daily Tribune..	8 00
Patsy Lewis, laundry.....	4 06
Scarbrough & Hicks, merchandise for Lieutenant-Governor's room	14 00
Herman Lundquist, one-third month extra elevator man...	20 00
Total	\$ 963 37

FOR MARCH.

Patsy Lewis, laundry.....	\$ 21 75
C. H. Allen, postage.....	212 00
W. P. Sebastian, expenses investigating committee.....	24 75
D. F. Goss, expenses A. T. Gay funeral	7 55
J. J. Swann, expenses A. T. Gay funeral	7 55
Von Boeckman, Schutze & Co., printing	756 91
Eugene Von Boeckmann Pub. Co., supplies.....	80 35

Von Boeckmann, Schutze & Co., supplies	\$113 15
Daily Tribune.....	9 60
Galveston-Dallas News	18 48
M. P. McGee, expenses investigating committee	57 85
O. D. H. Pfeuffer, expert clerk investigating committee	141 75
Corner Book and Stationery Co., supplies	37 68
Western Union Telegraph Co., telegrams	5 05
Austin Book and Stationery Co., pencils.....	5 25
Lone Star Ice Co., ice.....	10 20
C. A. Dahlich, merchandise....	3 62
Austin Typewriter Exchange, merchandise	2 00
Geo. P. Assman, locksmith work	6 00
Statesman Pub. Co., papers....	50 67
Martha Grubb, laundry.....	3 00
Waco Pub. Co., papers.....	2 60
Total	\$1577 76

FOR APRIL.

Herman Lundquist, one-third month extra elevator man...\$	20 00
Morning Register, Fort Worth, papers	1 70
Galveston-Dallas News, papers.	27 09
Von Boeckman, Schutze & Co., printing	450 67
Martha Grubb, laundry.....	3 00
Daily Tribune, papers.....	8 80
Statesman Pub. Co., papers....	26 76
Evening News, Sulphur Springs, papers	2 19
D. W. Odell, expenses T. S. Smith funeral.....	5 00
J. B. Wilson, expenses T. S. Smith funeral	5 00
Barry Miller, expenses T. S. Smith funeral	5 00
Herman Lundquist, one-third of nine days extra elevator man	6 00
Waco Pub. Co., papers.....	1 30
O. D. H. Pfeuffer, clerk Galveston Investigating committee..	18 00
C. H. Allen, postage	111 00
Houston Post, papers.....	62 55
D. A. Paulus, expenses college committee	1 75
Southwestern Telegraph and Telephone Co., rental telephone line.....	8 93
Express Pub. Co., papers.....	97 65
Patsy Lewis, laundry.....	11 33
Western Union Telegraph Co., messages	2 75
Geo. P. Assman, repairs Senate chairs	24 00
Geo. P. Assman, locksmith work	2 00
Lone Star Ice Co., ice.....	8 95
W. W. Otto, engraving knives...	4 20
C. H. Allen, typewriter rent...	105 00

C. H. Allen, expressage.....	\$2 00
Von Boeckman, Schutze & Co., printing	232 76
Eugene Von Boeckman Pub. Co., supplies	131 05
Total	\$1386 43

RECAPITULATION.

For January	\$ 318 76
For February	963 37
For March	1577 76
For April	1386 43

Grand total.....\$4246 32

Respectfully submitted,
SAVAGE, Chairman.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, April 9, 1901.*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 101, "An Act to prohibit the keeping or exhibiting, for the purpose of gaming, any gaming table or bank, pigeon hole table or jenny lind table, or nine or ten pin alley or alley of any kind whatever, regardless of the number of pins, balls or rings, used for gaming,"

And find the same correctly enrolled, and have this day, at 11:40 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

Committee Room,
Austin, Texas, April 9, 1901.*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 145, "An Act to amend Article 290 of the Penal Code of the State of Texas; to further define 'bar-ratry' so as to include the fomenting of litigation by attorneys at law by soliciting employment or advancing money or other things of value to the parties to litigation in order to procure employment,"

And find the same correctly enrolled, and have this day, at 11:40 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

Committee Room,
Austin, Texas, April 9, 1901.*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled

Bills have carefully examined and compared

Senate bill No. 140, "An Act to amend Articles 529, 529e and 529g, and repealing Article 529e, of Chapter 56, of the General Laws of the State of Texas of 1899; and adding Articles 529v and 529w to Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895; and amending Article 5295, of Chapter 98, of the General Laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds, game, etc., and repealing all laws in conflict herewith,"

And find the same correctly enrolled, and have this day, at 11:40 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 105, "An Act to amend Section 4, of Chapter 7, of the act passed by the Called Session of the Twenty-sixth Legislature, approved February 21, 1900, so as to provide that school trustees in independent school districts not in a city or town having an assessor and collector shall elect from the members of the board an assessor and collector of taxes; and to prescribe his powers and duties, and the duties of the board with reference to the collection of taxes; also for the organization of the board and the election of officers,"

And find the same correctly enrolled, and have this day, at 11:40 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

SUBSTITUTE HOUSE BILL NO. 71— VOTE RECONSIDERED ON FREE CONFERENCE COMMITTEE REPORT.

(Lieutenant-Governor Browning in the chair.)

On motion of Senator Sebastian, the vote by which the Senate this morning adopted the Free Conference Committee report on Substitute House bill No. 71 was reconsidered, and

On further motion of Senator Sebastian, the report was adopted by the following vote:

Yeas—26.

Beaty.	Dibrell.
Davidson of	Grinnan.
Galveston.	Hanger.

Harris of Bexar.	Savage.
Harris of Hunt.	Sebastian.
James.	Stafford.
Johnson.	Staples.
Lipscomb.	Swann.
Lloyd.	Turner.
McGee.	Turney.
Odell.	Wayland.
Patterson.	Wheeler.
Paulus.	Wilson.
Potter.	

Nays—1.

Miller.

Absent.

Neal.

Absent—Excused.

Davidson of	Goss.
DeWitt.	Yett.

BILLS SIGNED BY THE PRESIDENT.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read:

House bill No. 409, "An Act to aid Brazoria county, Texas, by supplementing the road and bridge fund by donating and granting to it the State ad valorem and occupation taxes collected upon property and persons in said county, for a period of two years, and providing for a proper transfer to said fund."

House bill No. 432, "An Act to facilitate the tracing of stolen or illegally disposed of cotton."

Senate bill No. 286, "An Act to create a more efficient road system for Kerr county, in the State of Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such; and providing that in case of the death, refusal or inability to act by any or all of said county commissioners, then the commissioners court of said county shall appoint some competent citizen to fill such vacancy, and providing for the appointment of road overseers and their duties, and for the working of county convicts on the public roads of said county, and providing for the payment of officers' fees and rewards and penalties for said convicts, and for the working of delinquent poll and insolvent tax-payers on the public roads of said county, and providing for the summoning of hands for road work, and providing for the appointment of one road superintendent for each precinct for said county, or one for each commissioners precinct in said county, and fixing penalties for the violation of this act."

Free Conference Committee substitute for Substitute House bill No. 71, "An Act relating to the sale and lease of public free school and asylum lands, and to

repeal all laws and parts of laws in conflict herewith."

**CLERK HIRE FOR APPORTIONMENT
COMMITTEE—RESOLUTION
AUTHORIZING.**

Senator Stafford offered the following resolution:

Resolved, That the Committee on Apportionment is hereby authorized to employ such clerks as may be necessary for the purpose of gathering, preparing and tabulating data for the use of the Senate at the special session in the matter of re-districting the State into Congressional, Senatorial, Representative and Judicial districts; and their per diem, and the expenses of printing, postage, etc., shall be paid out of the appropriation for contingent expenses of the Twenty-seventh Legislature.

Resolution was read second time, and adopted.

**POST SESSION JOURNAL WORK—
RESOLUTION FOR.**

Senator Odell offered the following resolution:

Resolved, That fifteen days additional to that already allowed by resolution be allotted the Journal Clerk and Assistant Journal Clerk in which to prepare the permanent Journal.

Resolution was read second time, and adopted.

COMMITTEE REPORT.

Committee Room,

Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 286, "An Act to create a more efficient road system for Kerr county, in the State of Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such; and providing that in case of the death, refusal or inability to act by any or all of said county commissioners, then the commissioners court of said county shall appoint some competent citizen to fill such vacancy, and providing for the appointment of road overseers and their duties, and for the working of county convicts on the public roads of said county, and providing for the payment of officers' fees and rewards and penalties for said convicts, and for the working of delinquent poll and insolvent tax-payers on the public roads of said county, and providing for the summoning of hands for

road work, and providing for the appointment of one road superintendent for each precinct for said county, or one for each commissioners precinct in said county, and fixing penalties for the violation of this act,"

And find the same correctly enrolled, and have this day, at 11:55 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

**HOUSE BILL NO. 436—MOTION TO
TAKE UP ON THIRD READING
—WITHDRAWN.**

Action here recurring on the motion made by Senator Odell to suspend the regular order of business for the purpose of taking up House bill No. 436 (see above for caption), Senator Odell withdrew the same.

**NEWSPAPER GANG—RESOLUTION
THANKING.**

Senators Paulus, Wilson and Harris of Hunt offered the following resolution:

Whereas, The press corps of the Twenty-seventh Legislature, to wit: Mr. Tom Finty, Jr., and Mr. William M. Thornton, of the *Dallas-Galveston News*; Mr. L. A. Petit and Mr. George W. Mendell, Jr., of the *Houston Post*; Mr. W. D. Hornaday and Mr. Jeff McLemore, of the *San Antonio Express*; Mr. James Hays Quarles and Mr. Jack Fernandez, of the *Waco Times-Herald*, *Fort Worth Register* and *Austin Tribune*; Mr. Asher G. Smoot of the *Austin Statesman*; Mr. Clarence N. Ousley, of the *Galveston Tribune*; and Mr. Shirley W. Johns, reporter of the routine proceedings for various leading papers of the State, have faithfully and with care and impartiality reported the proceedings of the Senate, and have in their writings always exhibited an honest and high toned journalism, and in their personal conduct, manliness and courtesy; therefore, be it

Resolved, that this house extend to these gentlemen its sincere thanks and cordial appreciation of their work, and that this resolution be printed in the Journal, and a list of their names and the papers which they represent be printed as an appendix to the Journal.

Resolution was read second time, and adopted.

**COMMUNICATION FROM THE SEN-
ATE PORTERS.**

Austin, Texas, April 9, 1901.

To Hon. J. N. Browning, Lieutenant-Governor, and Members of the Senate:

Whereas, The time has arrived for the Twenty-seventh Legislature to adjourn; therefore, we, as porters, realize that we

likely will never meet again in the same capacity; therefore, be it

Resolved, That the many thanks of the porters be and is hereby extended the presiding officer and members of the Senate for the courteous and impartial manner in which they have discharged their duty at all times to us. That we highly commend the many and good laws introduced and passed.

Be it further resolved, That every member and officer has been kind and appreciative to us as porters; therefore, we hope the entire membership will be returned at the next session of the Legislature.

Respectfully,
THE SENATE PORTERS.

(President Pro Tem. Miller in the chair.)

SENATE PAGES—RESOLUTION THANKING.

Senator Davidson of Galveston offered the following resolution:

Whereas, The Senate in the closing hours of its Regular Session is not unmindful of the little boys (the pages of the Senate) who have at all times been so courteous, and who have discharged their duties so well and with so much fidelity; and now the Senate, as well as the members thereof, return their thanks to the pages and trust that each one will go through life reaping the reward which they deserve.

Resolution was read second time, and adopted.

COMMUNICATION FROM SENATE PAGES.

To the President and Members of the Senate:

We, the Pages of the Senate, desire to express our sincere thanks to you for the kind, courteous and uniform treatment which we have received at your hands during this session of the Legislature.

We trust that each and every member of the Senate may always be good, prosperous and happy.

THE SENATE PAGES.

SIMPLE RESOLUTION—CALLED UP.

Senator Potter called up from the table, where it lay, the simple resolution previously offered by himself this morning (see above).

The resolution was read second time, and adopted.

(Lieutenant-Governor Browning in the chair.)

SENATE BILL NO. 22—SIGNED BY THE PRESIDENT.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

Senate bill No. 22, "An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties."

(Senator Turner in the chair.)

COMMITTEE REPORTS.

(By unanimous consent.)

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 291, "An Act to create a more efficient road system for Brown county, Texas,"

And find the same correctly enrolled, and have this day, at 11:55 o'clock a. m., presented the same to the Governor for his approval.

WHEELER, Acting Chairman.

Committee Room,
Austin, Texas, April 9, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 22, "An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties,"

And find the same correctly enrolled, and have this day, at 11:55 o'clock a. m., presented the same to the Governor for his approval.

WILSON, Chairman.

HOUSE COMMITTEE'S VERBAL RE- PORT.

Representative Greer, of Jefferson county, accompanied by the committee on the part of the House to inform the Senate that that body had completed its labors and was ready for adjournment in accordance with the sine die resolution, appeared at the bar of the Senate and made its report.

(Lieutenant-Governor Browning in the chair.)

NOTIFICATION COMMITTEES—AP- POINTED.

Senator Hanger moved that the Chair appoint two committees, consisting of three members each, to inform His Ex-

cellency, the Hon. Joseph D. Sayers, Governor of Texas, and the House of Representatives, that the Senate had completed its labors, and would soon be ready to adjourn.

The motion prevailed, and in compliance therewith the Chair appointed Senators Hanger, Johnson and Lipscomb to communicate to the Governor, and

Senators Patterson, Paulus and Wheeler to communicate to the House of Representatives.

SENATE BILL NO. 291—SIGNED BY THE PRESIDENT.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

Senate bill No. 291, "An Act creating a more efficient road system for Brown county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county, and providing for commutation of time for good behavior and good service, and providing for reward to be offered for the recapture of an escaped county convict; and providing for the trimming of hedges by the owner of land, and providing a penalty for failure to trim hedges; and providing the amount of compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons, and providing for the condemnation of land for public road purposes; and providing for the working of delinquent poll tax payers on the public roads, and relieving them from the payment of said work by the payment of the sum of three dollars; and providing further, making this law cumulative of

the general laws, and in case of conflict this act to govern as to Brown county, Texas."

SIMPLE RESOLUTION.

Senator Harris of Hunt offered the following resolution:

Resolved, That the thanks of the Senate be extended to the State Printers for the promptness and efficiency with which they have conducted the printing for the Senate.

Resolution was read second time, and adopted.

NOTIFICATION COMMITTEES REPORT.

Senator Hanger, accompanied by the committee on the part of the Senate to inform the Governor that the Senate had completed its labors and was ready to adjourn in accordance with the sine die resolution, here appeared before the bar of the Senate and reported that his Excellency, the Governor, had no further communications to present.

Senator Patterson, accompanied by the committee on the part of the Senate to notify the House of Representatives that the Senate had finished its labors and was ready to adjourn, appeared before the bar of the Senate and reported that they had complied with the Senate's instructions.

SINE DIE ADJOURNMENT.

The notification committees having made their reports, the Chair here announced the arrival of the hour of 12 o'clock, noon, the time set for sine die adjournment, and, in accordance with the concurrent resolution previously adopted, pronounced the Regular Session of the Twenty-seventh Legislature adjourned without day.